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**DECLARATION FOR UTILITY OR
DESIGN
PATENT APPLICATION
(37 CFR 1.63)**

☒ Declaration
Submitted with Initial
Filing OR
☐ Declaration
Submitted after Initial
Filing (surcharge)
(37 CFR 1.16 (e))
required)

Attorney Docket Number PR60538USw

First Named Inventor Mui Cheung

COMPLETE IF KNOWN

Application Number To be assigned

Filing Date Concurrently herewith

Art Unit

Examiner Name

I hereby declare that:

Each inventor's residence, mailing address, and citizenship are as stated below next to their name.

I believe the inventor(s) named below to be the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

PROCESS FOR PREPARING BENZIMIDAZOLE THIOPHENES

(Title of the Invention)

the specification of which

☐ is attached hereto

OR

☒ was filed on October 12, 2004 as United States Application Number or PCT International PCT/US04/33585

Application Number and was amended on (MM/DD/YYYY) (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached?	
				YES	NO
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☐ Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02/B attached hereto:

[Page 1 of 2]

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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DECLARATION – Utility or Design Patent ApplicationDirect all correspondence to: ☒ Customer Number OR ☐ Correspondence address below

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

NAME OF SOLE OR FIRST INVENTOR:☐ A petition has been filed for this unsigned inventorGiven Name
(first and middle [if any])Family Name
Or Surname

Mui

CHEUNG

Inventor's
Signature

Date

11/4/2004

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Research Triangle Park

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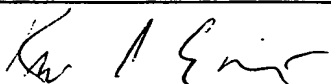
27709

US

NAME OF SECOND INVENTOR:☐ A petition has been filed for this unsigned inventorGiven Name
(first and middle [if any])Family Name
Or Surname

Kyle, Allen

EMMITTE

Inventor's
Signature

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☐ Additional inventors are being named on the 2 supplemental Additional Inventor(s) sheet(s) PTO/SB/02S or 02LR attached hereto

Applicant: CHEUNG, Mui ; EMMITTE, Kyle Allen
 Application No.: PCT/US2004/33585 Filed: October 12, 2004
 For: Process for Preparing Benzimidazole Thiophenes

SmithKline Beecham Corporation.

(Name of Assignee)

partnership, university, etc.)

Corporation

(Type of Assignee, e.g. corporation,

certifies that it is the assignee of the entire right, title and interest in the patent application identified above by virtue of either:

A. ☒ An assignment from the inventor(s) of the patent application identified above. The assignment was recorded on November 11, 2004 in the Patent and Trademark Office at Reel 015371, Frame 0828, and for which a copy thereof is attached.

B. ☐ A chain of title from the inventor(s), of the patent application identified above, to the current assignee as shown below:

1. From: To:
 The document was recorded in the Patent and Trademark Office at
 Reel , Frame , or which a copy thereof is attached.

2. From: To:
 The document was recorded in the Patent and Trademark Office at
 Reel , Frame , or which a copy thereof is attached.

☐ Additional documents in the chain of title are listed here:

The undersigned has reviewed all the documents in the chain of title of the patent application identified above and, to the best of undersigned's knowledge and belief, title is in the assignee identified above.

The undersigned (whose title is given below) is empowered to act on behalf of the assignee.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date: 04/13/2005
 SmithKline Beecham Corporation
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 By: Charles E. Dadswell
 Title: Patent Attorney (resolution attached)

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